

ORDINANCE NO. 172-13

BY: **LARRY NAPOLI**
(By Request – City Engineer)

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER
INTO A STORMWATER MANAGEMENT PROGRAM
SERVICE AGREEMENT WITH THE NORTHEAST OHIO
REGIONAL SEWER DISTRICT FOR IMPLEMENTATION OF
ITS REGIONAL STORMWATER MANAGEMENT PROGRAM,
AND DECLARING AN EMERGENCY

WHEREAS, the Northeast Ohio Regional Sewer District (District), pursuant to the authority of Ohio Revised Code Chapter 6119, and Title V of the District's Stormwater Management Code (Title V), is authorized to provide overall Stormwater Management of the Regional Stormwater System, including planning, financing, design, improvement, construction, inspection, monitoring, maintenance, operation, and regulation for the proper handling of stormwater runoff and the development and provision of technical support information and services to member communities; and,

WHEREAS, the District has been established as a regional governmental entity mandated to operate and maintain a Regional Stormwater System in the general area encompassing fully or partially the City of Parma; and,

WHEREAS, flooding is a significant threat to public and private property; streambank erosion is a significant threat to public and private property, water quality, wildlife, and aquatic and terrestrial habitats; and inadequate stormwater management damages the water resources of Northeast Ohio, impairing the ability of these waters to sustain ecological and aquatic systems; and,

WHEREAS, to ensure the consistent and coordinated delivery of District Regional Stormwater Management Program services within the City of Parma, a Stormwater Service Agreement between the District and the City of Parma is required;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PARMA, STATE OF OHIO:

Section 1. That the Mayor is hereby authorized to enter into a Stormwater Management Program Service Agreement with the Northeast Ohio Regional Sewer District for implementation of its Regional Stormwater Management Program to ensure the consistent and coordinated delivery of District Regional Stormwater Management Program services within the City of Parma, with a copy of said Agreement in substantially similar form attached as Exhibit "A".

Section 2. That the Mayor is hereby authorized to execute said Agreement and to take such action and to execute such other documents and amendments thereto as may be necessary as are approved by the Law Director.

Section 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council; and that all deliberations of the Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 4. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the City of Parma, and for the further reason that this measure is necessary in order to enter into this agreement in the near future, and this Ordinance shall become immediately effective upon receiving the affirmative vote of two-thirds of all members elected to Council and approval of the Mayor, otherwise from and after the earliest period allowed by law.

PASSED:_____

PRESIDENT OF COUNCIL

ATTEST:_____

APPROVED:_____

CLERK OF COUNCIL

FILED WITH
THE MAYOR:_____

MAYOR, CITY OF PARMA, OHIO